

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

STEVE TYSON,

Plaintiff,

vs.

TROOPER M. CARTER, *et al.*,

Defendants.

Case No. 3:22-cv-211

District Judge Walter H. Rice

Magistrate Judge Peter B. Silvain, Jr.

DECISION AND ENTRY

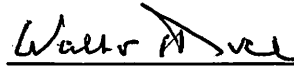
The Court has reviewed the Report and Recommendations of United States Magistrate Judge Peter B. Silvain, Jr. (Doc. #23), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. Plaintiff's Motion for Leave to File Third Amended Complaint (Doc. #21) is **DENIED AS MOOT**;
2. Plaintiff's Motion for Leave to File Fourth Amended Complaint (Doc. #22) is **DENIED WITHOUT PREJUDICE**;
3. Defendant Carter's Motion to Dismiss Plaintiff's First Amended Complaint (Doc. #6) is **DENIED AS MOOT**;
4. Defendant Carter's Motion to Dismiss Plaintiff's Second Amended Complaint (Doc. #15) is **DENIED WITHOUT PREJUDICE**;
5. The Order to stay all proceedings in this matter is **LIFTED**;
6. Defendant Carter's response to Plaintiff's Second Amended Complaint (Doc. #9) is due **within 14 days of this Decision and Entry**; and

7. Plaintiff must serve Defendant Hagen with summons and a copy of the Second Amended Complaint **within 45 days of this Decision and Entry.**

August 30, 2023



Walter H. Rice
United States District Judge